

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PAR PHARMACEUTICAL, INC., PAR)	
STERILE PRODUCTS, LLC, and ENDO)	
PAR INNOVATION COMPANY, LLC,)	
)	
Plaintiffs,)	C.A. No. 18-823-CFC
)	
v.)	
)	
EAGLE PHARMACEUTICALS INC.,)	
)	
Defendant.)	

**AMENDED STIPULATION AND [PROPOSED] ORDER REGARDING
AUTHENTICITY OF CERTAIN BUSINESS RECORDS**

WHEREAS Plaintiffs Par Pharmaceutical, Inc., Par Sterile Products, LLC and Endo Par Innovation Company, LLC (collectively, “Plaintiffs”) have produced to Defendant Eagle Pharmaceuticals Inc. (“Eagle”), in the above-captioned proceedings, documents bearing the following bates numbers: PAR-VASO_0248075–162; PAR-VASO_0248163–68; PAR-VASO_0248364, PAR-VASO_0248169–72 and PAR-VASO_0297181;

WHEREAS Plaintiffs agree that these documents are sales records for Pitressin (PAR-VASO_0248075–162; PAR-VASO_0248163–68; PAR-VASO_0248364; and PAR-VASO_0297181) and Vasostrict (PAR-VASO_0248169–72), respectively, and that these documents are authentic business records that are admissible under Rule 803(6) to show, to the extent relevant, sales of the specified Pitressin and Vasostrict products from the lots and on the dates specified therein;

IT IS HEREBY STIPULATED AND AGREED by Plaintiffs and Defendant, subject to the approval of the Court, that for all purposes in this action and any appeal of this action, the

documents bearing bates numbers PAR-VASO_0248075–162; PAR-VASO_0248163–68; PAR-VASO_0248364; PAR-VASO_0248169–72; and PAR-VASO_0297181:

- a) are sales records for Pitressin (PAR-VASO_0248075–162; PAR-VASO_0248163–68; PAR-VASO_0248364; and PAR-VASO_0297181) and Vasostrict (PAR-VASO_0248169–72) that evidence sales of the specified Pitressin and Vasostrict products from the lots and on the dates specified therein;
- b) are authentic within the meaning of Fed. R. Evid. 901;
- c) are not hearsay and constitute admissible business records made in the regular course of business within the meaning of Fed. R. Evid. 803(6);
- d) are admissible as evidence at trial without a sponsoring witness to establish their authenticity or status as business records, as enumerated above in paragraphs (b) and (c); and
- e) are admissible as evidence at trial without objection or further testimony or foundation.

Dated: August 11, 2020

FARNAN LLP

By: /s/ Michael J. Farnan

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Respectfully submitted,

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Attorneys for Defendant

IT IS SO ORDERED this ____ day of August 2020.

United States District Judge